

# **Naples City Council**

## **April 8, 2010**

### **Minutes**

The regularly scheduled meeting of the Naples City Council was held April 8, 2010, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

Council members attending were Dean Baker, Robert Hall, Dennis Long, Dan Olsen and Kenneth Reynolds. Gordon Kitchen was absent.

Others attending were Jim Harper, Bruce Todd, Tyler Rasmussen, Wayne Dunbar, Nick Willoughby, Taylor Grover, Mike Willoughby, Connie Patton, Mark Watkins, Dave Cook, Chris Hoem, Craig Blunt, and Nikki Kay.

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance and Ken Reynolds offered the invocation.

Mayor Baker asked if there were any additions or changes to the agenda. Chief Watkins wanted to discuss something under 'Other Matters'. Nikki Kay said discussion item number nine needed to be removed. Dennis Long **moved** to approve the agenda as amended. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

Mayor Baker asked for approval of the minutes of March 25, 2010. Robert Hall **moved** to approve the minutes of March 25, 2010. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

There were no questions regarding the meeting of March 25, 2010.

Connie Patton presented the bills in the amount of \$90,362.58 and requested approval to pay them. Councilman Dennis Long wanted to know if the payment to Brownie Tomlinson was already approved. Craig said it was approved but he needed to discuss the project. Councilman Ken Reynolds asked about a payment for heating oil. Jim Harper said it is used for the crack sealer. He also asked about the monthly payment for Blue Stakes. Nikki Kay said Blue Stakes

#### ***DATE, TIME & PLACE OF MEETING***

#### ***COUNCIL MEMBERS ATTENDING***

#### ***OTHERS ATTENDING***

#### ***OPENING CEREMONY***

#### ***AGENDA APPROVED***

#### ***MINUTES APPROVED***

#### ***FOLLOW UP ITEMS FROM PREVIOUS MEETING***

#### ***APPROVAL OF THE BILLS***

notifies the City if anyone calls for Blue Stakes in the City and we pay for those notifications. Dan Olsen **moved** to approve the expenditures in the amount of \$90,362.58. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Mayor Baker explained that the City was paying the Chamber of Commerce quarterly for a Chamber Director and an Economic Development Director as part of an interlocal agreement. The City sent a letter on February 26, 2010 pulling out of the interlocal agreement. Mayor Baker explained that Tammy Lucero was hired full time by the County for economic development which would cut the amount owed to the Chamber in half. Nikki Kay said the City received a bill for \$16,250 which was the quarterly billing for Jan., Feb., and March and that amount should be paid to the Chamber. Dan Olsen **moved** to approve the payment of \$16,250 to the Chamber. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Tyler Rasmussen with Strata Networks was present in Council meeting to discuss and answer any questions about the recent purchase of Bresnan Communications by Strata Networks. CEO Bruce Todd of Strata Networks was also present at the meeting. Mr. Rasmussen told the Council that he met with Craig last week to go over the details of the asset purchase agreement with Bresnan. He said they are looking at a closing date of May 1<sup>st</sup>. Mr. Rasmussen said they are very excited about the opportunity and felt Bresnan's network would fit really well into some of the weaker areas of their network. Mr. Rasmussen felt this purchase would help improve on the services in the area, it would help to continue to employ as many local employees as possible and also keep revenue in the Basin. Councilman Long wanted to

***C H A M B E R     O F  
C O M M E R C E   Q U A R T E R L Y  
B I L L I N G***

***D I S C U S S I O N   R E G A R D I N G  
T H E   P U R C H A S E   O F  
B R E S N A N  
C O M M U N I C A T I O N S   B Y  
S T R A T A   N E T W O R K S***

know about their pricing. Mr. Rasmussen said they will try and keep their packaging and prices the same. Mayor Baker wanted to know if there would be any initial changes. Mr. Rasmussen said the only minor change they are anticipating will be with channel line up. Councilman Hall wanted to know how many communities Bresnan has service in. Mr. Rasmussen said they are a large company but they only have service in Vernal and Naples as far as local communities. Mr. Rasmussen said because the City just signed a franchise agreement with Strata Networks the only difference will be the franchise tax will now be paid by Strata and not Bresnan. Mr. Rasmussen wanted the Council to know they are trying to make the transition as seamless as possible. Mayor Baker and Council thanked Mr. Rasmussen and Mr. Todd for coming and sharing this information with them.

Dave Cook told the Council that he met with Craig Blunt, Chief Watkins, and Jim Harper to give them a broader view of the employee evaluation program he presented to the Council at a previous meeting. Craig said he felt it would be good to outline skills required for specific jobs and to use those specifications for employee evaluations. Mayor Baker wanted to know if the department heads thought the program would be beneficial for the City. Chief Watkins thought the evaluation would be a good tool to help improve employee performance. Jim Harper thought it would be useful in pinpointing skills for specific jobs and felt it would be very helpful. Councilman Hall wanted to know if it was in the budget. Craig said the funds could be transferred from Emergency Services. Robert Hall **moved** to approve the \$5,215 for the program and approved the transfer of funds. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Craig Blunt received a customer service training proposal from Bryan McCurdy. Craig said he contacted different people in the area looking for customer service trainers and found out that Bryan McCurdy with B.H.I had just completed a training with the County. Craig told the Council he contacted Mr. McCurdy to see what he could do for the City and received the proposal he presented to the Council. Mr.

### ***PROPOSAL FOR REAL SKILLS PROGRAM***

### ***CUSTOMER SERVICE TRAINING PROPOSAL***

McCurdy proposed to do the training for the City and to tailor it to the disciplines of the staff for \$912. Mayor Baker told the Council that he spoke with Craig about providing this type of training for the employees. Dennis Long **moved** to approve \$912. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Craig Blunt told the Council that as part of the 500 South road project he wanted the Council to consider expending funds to pay for the eleven man holes that will be placed in the drainage pipe system for stub outs. These would be placed on the east of Hwy 40. Craig said the cost of each man hole is \$6,000. Mayor Baker wanted to know if the funds were in the budget. Craig said the Council would need to open the budget and place funds in the road department drainage expenditure line item. Councilman Long wanted to know if the stub outs were mainly for future growth. Craig said they were. Craig said he is also trying to work with the Uintah Transportation Special Service District to get curb and gutter from 1100 East to the highway. He wanted to see if they would help share the cost of tying in the stub outs which would help eliminate the drainage issues Airgas and C&H Distributing have experienced. Dan Olsen **moved** to authorize the Mayor to execute the interlocal agreement. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***I N T E R L O C A L  
A G R E E M E N T   F O R   5 0 0  
S O U T H   R O A D   P R O J E C T***

Dan Olsen **moved** to go into a public hearing for the 2500 South road bond. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

***M O T I O N   F O R   P U B L I C  
H E A R I N G   F O R   2 5 0 0  
S O U T H   R O A D   B O N D S***

Mayor Baker asked if anyone had any questions or comments about the City purchasing the bonds for improvements to 2500 South. Craig Blunt explained to those in attendance why the City wanted to improve 2500 South. Craig stated that 2500 South is a major road connecting the Glines area to the Naples area and is sometimes utilized quite often due to the location of the airport. Craig said the canal on the south side of 2500 South is a safety concern. Craig said the City was able to obtain a grant and loan to help fund the improvements.

Mike Willoughby wanted to know where the grants came from. Craig said the grants came from the Community Impact Board (CIB). Mr. Willoughby wanted to know about the sales tax. Craig said most of the sales tax generated in Naples City is generated from the oil and gas industry. Mr. Willoughby also asked if the taxes collected throughout the county help. Craig said it is only purchases in Naples City that the tax is generated from.

Dave Cook wanted to know what type of interest the City was paying on the loan. Craig said the loan is a zero interest loan for twenty years. Mr. Cook also said he hated to see them cover the canal along 2500 South. He said it has always been like a little creek running through there. Mayor Baker said they would be covering about 1400' of the canal. Mr. Cook wanted to know what type of covering there would be over the canal. Craig said it will be a box type culvert. Mayor Baker said the work on the canal will begin in the fall after the water is shut down.

Mr. Willoughby wanted to know if a study was done on the safety issues along the road and if that was the main reason this was being done. Mayor Baker said it was one of the reasons but traffic count was another reason. Mayor Baker said because the airport bisects the area and you can't go east or west except on 500 South or 2500 South it makes it a highly traveled road.

Wayne Dunbar wanted to know if the traffic count from that road warranted a traffic light on 2500 South. Mayor Baker said the City has been trying quite a while to get UDOT to consider a light at that intersection. Councilman Long wanted to know about the cost of asphalt for the road. Craig said he wasn't quite sure how much it was running right now. He said the whole road construction was about two mil. Craig said the road would not have curb and gutter but it would have an 8' shoulder. With no other comments from the public, Dan Olsen **moved** to close the public hearing. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

**Bobcat Extended Warranty** - Jim Harper asked the Council for approval to purchase an extended warranty for the new S70 Bobcat. He submitted two bids, one for twenty-four months of coverage and one for sixty months. The sixty month warranty would cover the drive train and transmission. Councilman Long wanted to know how many

## ***EXPENDITURES***

hours he estimated they will put on the bobcat. Jim did not feel like they will put very many on it. Mayor Baker said he did not want to see the department turn it into a utility unit. Jim said they have talked about getting a broom for it to clean the sidewalks in the summer. Robert Hall wanted to know if the twenty-four-month warranty would be sufficient. Jim felt that it would. Robert Hall **moved** to approve the \$767 warranty protection plan. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

**Crack Sealer Repairs** - Jim Harper told the Council that the crack sealer broke down last week in the middle of their sealing jobs. He said they needed to make the repair quickly so they could finish the crack sealing while the weather was right. Jim said he purchased two heating rods that warms the heating oil which then heats the material. Jim said if they have the heating rods they can keep the material at a warmer level and cut down on the amount of time it takes to heat the material. Jim said he purchased two rods at a cost of \$847.39. Dennis Long **moved** to approve the \$847.39. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

**Shed footings & foundation** - Craig Blunt explained to the Council the problems they encountered with the new Cover-All building being constructed to store the road salt and sand. Craig said he received a call last week from Cover-All asking him to stop all work for the footings and foundation of the building. Craig said when he received the call, Brownie's Excavation had already poured the footers and the rebar was installed for the foundation walls. Cover-All was granted protection from its creditors under a CCAA (Companies' Creditors Arrangement Act) and was asking for time to restructure their company. Craig said he was told by Cover-All that they would let him know by next Monday where the

City's building was being shipped from and if it would still be shipped. Craig said the bill received from Brownie's Excavation included a \$2,100 stop and delay of job fine. Craig said he explained to Cover-All that the City will be passing that amount onto them. Craig said in order to keep good faith with the contractor, he would like to pay for work completed so far. The amount requested to date was \$32,140.35 payable to Brownie's Excavation. Robert Hall **moved** to approve \$32,140.35 to Brownie's Excavation. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

**Building permit software** - Craig wanted to purchase a software program for his building permits and code enforcement that would keep accurate data. Craig said the cost for the software is \$5,000 and there is an additional cost for set up fees and training for a total of \$9,450. Dennis Long **moved** to approve th \$9,450. Ken Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

**Concrete box repair** - Craig Blunt asked for approval to expend funds to repair the collection box on 1500 S 1500 E. Craig said the trucks rounding the corner there can't seem to go over the curve and not take the box lid off. Craig spoke with Geneva Pipe and asked them to design a lid that would not come off. The cost for the lid is \$650. Ken Reynolds **moved** to approve the \$650. Dennis Long **seconded** the motion. The motion passed with a vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

**License plate readers** - Chief Watkins wanted the Council to know that he was given incorrect information about the cost for the license plate readers. Chief Watkins said he received a price of \$6,000 and thought that was for the system but it was per camera. The cost for each license plate reader system (LPR) is \$13,000. Chief Watkins told the Council that he has money in other funds and would like to move forward with purchasing some of those systems. Chief Watkins wanted to use the money that was approved for the spikes (\$2,700), extra funds in the DUI fund (\$2,300) and transfer funds out of vehicle maintenance and equipment purchase (\$5,000 each). Chief Watkins said this would give him \$39,000 for the purchase of three systems. Dan Olsen **moved** to approve the transfer of funds and the purchase of three License Plate Readers. Robert Hall **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Resolution 10-222 was presented to the Council for their approval. The Resolution approves the form of the equipment lease agreement with Zions First National Bank for police vehicles. Chief Watkins stated that the cars are ready to go in Salt Lake City. Chief Watkins explained the amount of the lease purchase, the trade in value for the old cars, and the difference the City would owe for this year. Craig Blunt told the Council that City Attorney Dennis Judd wanted a change made to Section 3.4(b) stating the City would agree to ship the vehicles back to the requested destination as long as it was in Utah. Dan Olsen **moved** to adopt Resolution 10-222 and approve the agreement with the change discussed in section 3.4(b). Robert Hall **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Chief Watkins explained to the Council that he belongs to the Managing Board for Central Dispatch and told the Council they need to appoint a member of the Governing Board. The

***RESOLUTION 10-222  
POLICE VEHICLE LEASE  
AGREEMENT***

***APPOINTMENT TO  
GOVERNING BOARD OF  
CONSOLIDATED***

appointed member would attend the annual budget meeting for Uintah Basin Consolidated Communications Center (Central Dispatch). Dan Olsen **moved** to appoint Mayor Dean Baker to the Governing Board. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

## ***DISPATCHING SERVICES***

Chief Watkins asked for approval to send two of his officers to K-9 re-certification training. The requested amount for each officer was \$380. Chief Watkins also asked for approval to send Officer Tatangelo to Field Officers Training, amount \$90, and Taser certification training, amount \$455. The total travel amount requested was \$1,305. Dennis Long **moved** to approve the \$1,305. Ken Reynolds **seconded** the amount. The motion passed with all voting aye on roll call:

## ***TRAVEL APPROVAL FOR POLICE, COURT CLERK AND CITY RECORDER***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Helen Brunelle submitted a travel request in the amount of \$190.80 to attend the Spring Court Clerks Conference. Robert Hall **moved** to approve the request. Dan Olsen **seconded** the motion. The motion passed as follows

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Nikki Kay requested approval to expend \$619.84 to travel to Springdale to attend the Utah Municipal Clerk's conference. Dan Olsen **moved** to approve the travel request. Dennis Long **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Craig Blunt gave Council members copy of a draft agreement for The Farm Subdivision. Craig said what was presented to them is a draft and has not been reviewed by the City

## ***CLOSE OUT ESCROW ACCOUNT FOR THE FARM SUBDIVISION***

Attorney. The developer of the Farm Subdivision, Ray Nash, approached Craig about wanting to complete the 900' of unfinished sidewalk as he sells the lots. Craig said Mr. Nash wants to put up a restricted fund and as each lot sells, whether it has a sidewalk or not, he will put \$3,000 into this restricted fund that will go toward the placement of the unfinished sidewalks. Mayor Baker wanted to know how they will keep track of the sale of lots or the payment. Craig said the restrictive covenants have it listed as does the escrow agreement and will be recorded on the plat. Craig said they will need to keep track of it with the building permits also. Councilman Hall wanted to know what happens when individual lots are sold, will that mean you will have little pieces of sidewalk completed throughout the subdivision. Craig said that is probably how it will be. Mayor Baker wanted to know if someone didn't put the sidewalk in and the City had to go back and install it, what happens if the cost is more than the \$3,000. Craig said the restrictive fund would be collected from all lots sold so no matter how much the cost, the installation of the sidewalk would be paid from the collected funds. Councilman Reynolds wanted to know if they needed more time for Dennis Judd to go through it. Craig said the end of the escrow is coming up, so he was asking the Council to approve it based on Dennis Judd's signing off on the agreement. Ken Reynolds **moved** to approve the agreement if the City Attorney is okay with it. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

Nikki Kay asked for approval to transfer funds in the general fund budget from **10-50-750** to **10-60-740** to budget for the purchase of the skid steer loader. Dennis Long **moved** to approve the transfer. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

Chris Hoem explained the Planning Commission needs to add the bylaws to the Land Use Ordinance which requires a public hearing. Dan Olsen **moved** to set a joint public hearing for changes to the Land Use Ordinance for April 22, 2010. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Chief Watkins wanted the Council to consider purchasing new pads and batteries for the defibrillators. Chief Watkins said the pads are only good for two years and the batteries are good for five years. The purchase was not on the agenda but Chief Watkins wanted to the Council to think about it because

***TRANSFER OF FUNDS  
WITHIN GENERAL FUND***

***OTHER MATTERS OR  
FUTURE COUNCIL  
MATTERS***

there is a liability associated with not having the equipment up to date. The defibrillators are located in each police car and one in the City office. The cost for all of the replacement pads and batteries would be about \$1,645. Council members told Chief Watkins to have a price ready for the next Council meeting and they would add it to the agenda.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 9:15 p.m. Ken Reynolds **seconded** the motion. The meeting was adjourned

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 22<sup>nd</sup> DAY OF APRIL 2010

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_